



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

First Steps: 2005 Voting System Purchase Process

Although the 2004 general election has just concluded, it is time to begin planning for voting system purchases for the upcoming year. As you may know, close to 200 cities and townships in 27 counties purchased new optical scan voting systems via the new statewide contracts in 2004. All of these jurisdictions successfully used their new systems to administer the 2004 primary and general election. As the statewide processes for coordinating vendor selection, purchases, delivery and training worked very smoothly in 2004, we plan to employ the same overall process for next year's purchases.

Our initial efforts will be focused on gathering updated information and developing an overall purchase/changeover schedule for all remaining jurisdictions that will be converting to new optical scan systems. Key points of the 2005 purchase plan will include:

- County purchase plans will be finalized within the next few weeks for all remaining jurisdictions that did not purchase new systems in 2004.
- All remaining jurisdictions will initiate purchase of a new optical scan system in 2005.
- There will be three planned purchase periods available in 2005. The first orders are expected to be placed in early February; the second purchase period will likely occur in the Spring; and the final purchase period is targeted for next Fall.
- All remaining jurisdictions currently utilizing punch card, mechanical lever, paper, DRE, and central-count optical scan systems **must** purchase new precinct-count optical scan systems in either the first or second purchase periods.
- County clerks will remain the primary point of contact for the State.
- All counties and jurisdictions that purchase new voting systems will be required to enter into a *Grant Agreement* with the State. This grant process also requires submission of verified *Proof of Authority* for local jurisdictions to enter into these agreements. (Individualized grant applications and detailed instructions will be provided once designated purchase periods have been established for all jurisdictions—Action is expected in early January.)
- In an effort to ensure a manageable purchasing, delivery and training schedule for the jurisdictions and vendors involved, the State will make final decisions on purchasing schedules. Every effort will be made to accommodate preferences expressed by individual jurisdictions.

This packet constitutes the start of the planning process for 2005 voting system purchases. Enclosed are several items:

1) County Plan: Enclosed is the current voting system purchase plan for your county. All jurisdictions that purchased new systems in 2004 are indicated on the county plan. For those jurisdictions that remain, we are requesting updated data on the number of precincts and absent voter counting boards in use. We are also looking to establish planned purchase periods for all remaining jurisdictions. Please follow the instructions on the form and work directly with the jurisdictions in your county to update your plan. Some data has been pre-populated based on current information available in the Bureau of Elections. Please make any corrections necessary to the figures in the “# of Precincts” column to reflect the number of precincts expected to be in place in January 2005. Please also make any corrections necessary to the “# of AVCBs” column to reflect the number of Absent Voter Counting Boards expected to be in use in future Federal elections. Please use the “Comments” column to explain any changes that are made to the original numbers listed.

Also indicate the preferred purchase period for all remaining jurisdictions. Purchase period “05-1” refers to the first purchase period available in 2005 (likely early February). Purchase period “05-2” refers to the second available purchase period (likely Spring 2005). Purchase period “05-3” refers to the final available purchase period (likely Fall 2005). All remaining punch card, mechanical lever, paper, DRE, and central-count optical scan jurisdictions must select either the “05-1” or “05-2” purchase period. **Also note:** We ask that all remaining purchases within your county occur during the same purchase period (please select 05-1, 05-2 or 05-3 for all jurisdictions in the county that will be participating).

Any existing precinct-count optical scan jurisdiction may choose the “05-3” purchase period. For those jurisdictions in this category that would like to wait until 2006, note that only the placement of an order is required in 2005. Delivery can be delayed until early 2006 if necessary for jurisdictions in this group.

Jurisdictions that are geographically split between two counties: For purposes related to voting system purchases and county purchase plans, “split” jurisdictions are included in the county where the majority of registered voters for that jurisdiction reside.

Jurisdictions marked under the “Reimbursement” column are those that purchased a new precinct-count optical scan system after November 2000 and before August of 2003 and are therefore subject to reimbursement under HAVA. Jurisdictions have been included in this column based on information previously submitted to the Bureau of Elections. If that information is incorrect, please make appropriate changes and explain those changes in the “Comments” column. If there are other jurisdictions in your county that should be included in this category, but are not marked, please make appropriate changes and explain those changes as well. Note that a separate mailing will be sent to those jurisdictions qualifying for reimbursement with the details of this process once the final list of those eligible has been established.

Please return your completed and signed plan by Friday, December 10, 2004 to:

**Sherry Barrett
Michigan Department of State
Bureau of Elections
PO Box 20126
Lansing, MI 48901-0726**

Forms can also be faxed to Sherry's attention at (517) 241-1591. Sherry can also be reached at (517) 241-2538 between 8:00 a.m. and 3:30 p.m. weekdays or by e-mail at BarrettS1@Michigan.gov.

2) Vendor Selection Form: If no jurisdictions in your county converted to a new optical scan system in 2004, you must complete and submit the enclosed *Voting System Vendor Selection Certification*. For those counties that selected a vendor in 2004, we have enclosed a list of vendors selected, by county, and the current contact information for each vendor.

If your county opts to participate in the first purchase period in 2005, this form must be signed and returned to the Bureau of Elections by **Wednesday, December 15, 2004**. These forms should also be sent to Sherry at the address indicated above. NOTE: We must receive signed original copies; fax copies can be accepted, but must be followed-up with the original via mail.

Currently, two vendors (Diebold and E S & S) are eligible to sell voting systems under the new statewide contract. There is a wide variety of comparative data, including actual state contracts, available on the Department of State website (www.michigan.gov/hava) -- click on "County Equipment Purchase"-- that can be used to assist you and your local jurisdictions in making a final selection.

Special Note on Sequoia Voting Systems: Sequoia will not be permitted to sell voting systems until an Independent Testing Authority (ITA) certifies its Election Management System (EMS) software. We are in regular communication with Sequoia, which indicates that it is in the final stages of re-writing its EMS software. Portions of Sequoia's new system have already been submitted to an ITA, and Sequoia is hopeful that the software certification process will be complete by early 2005. Until we receive certification from Sequoia that it has completed the software certification process, we are unable to accept vendor selection forms for Sequoia. Counties will be notified as soon as the State receives verification from Sequoia that it has obtained the required certification. At that time, counties will have the opportunity to select and certify Sequoia as their vendor of choice. Any further questions on this issue should be directed to Sequoia.

If your county does not plan to participate in the first purchase period in 2005, your vendor selection form is not due at this time.

3) Information on "Proof of Authority": One of the next major steps in the process will include completion of a *Grant Agreement* between the State and the jurisdiction. This agreement will designate approved amounts of new equipment (numbers of tabulators, etc.) and will document the roles and responsibilities of the State and local jurisdiction. Grants must be signed by every jurisdiction receiving new voting systems funded by HAVA. Submission of the grant agreement also includes documented *Proof of Authority* from the county, city, or township board, authorizing the local clerk to enter into this agreement.

Although grant application forms will not be distributed until early 2005, we have found that some jurisdictions needed several weeks to obtain their proof of authority. Enclosed is a sample board resolution that you and your local jurisdictions can use to obtain the needed proof of authority. Although no action is needed at this time on this issue, you may want to share this information with your local jurisdictions and suggest that they make arrangements with their local governing bodies to schedule discussion of this issue at an upcoming meeting soon after the first of the year.

Counties, cities, and townships are all required to enter into a Grant Agreement with the State to cover any new voting systems purchased under HAVA. For counties, this agreement covers only the purchase of EMS software. All counties with jurisdictions that purchased new systems in 2004 have already submitted the necessary paperwork covering this agreement and Proof of Authority, and no further action is needed.

In Summary: Please review all of the enclosed information thoroughly and discuss upcoming voting system replacement plans with the local jurisdictions in your county. Also:

- Please complete and return the enclosed **County Plan** by **Friday, December 10, 2004**.
- Please complete and return the enclosed **Vendor Selection Certification Form** only if you did not select a vendor in 2004 and plan to participate in the first purchase period of 2005. These forms are due to the Bureau of Elections by **Wednesday, December 15, 2004**.

Thank you for your help as we continue to work towards upgrading our voting systems throughout the state. If you have questions or concerns about this information, please contact Sherry Barrett at the phone number or e-mail listed above.

Selected Vendors: 2004 Voting System Purchases

Below is a list of counties and vendors that were selected in 2004. A main contact for each vendor is also provided below:

County	Selected Vendor
Alpena	Diebold
Arenac	Diebold
Cheboygan	Diebold
Chippewa	Diebold
Delta	Diebold
Dickinson	Diebold
Emmett	ES&S
Gogebic	Diebold
Grand Traverse	Diebold
Houghton	Diebold
Jackson	Diebold
Kalamazoo	ES&S
Keweenaw	Diebold
Lenawee	Diebold
Livingston	Diebold
Luce	Diebold
Mackinac	Diebold
Marquette	Diebold
Menominee	ES&S
Montcalm	ES&S
Montmorency	Diebold
Oscoda	Diebold
Roscommon	Diebold
Schoolcraft	Diebold
Shiawassee	ES&S
St. Joseph	Diebold
Washtenaw	Diebold

Contacts for Diebold: William R. Barrett

Phone (630) 437-5510

Email billb@fidlar.com

Larry Calvert

Phone (630) 852-7147

Email calverl@dieboldes.com

Diebold Election Systems Inc.
1611 Wilmeth Rd.
McKinney, TX 75069-8250

Contacts for ES&S: Will Wesley

phone (954) 770-9638

Email wgwesley@essvote.com

Election Systems & Software, Inc.
11208 John Galt Blvd.
Omaha, NE 68137 phone

Voting System Vendor Selection Certification

This form MUST be completed and signed by the County Clerk.

For those counties with jurisdictions planning to purchase new systems during the first purchase period of 2005: Please complete, sign, and return this form to the Bureau of Elections by **Wednesday, December 15, 2004.**

Fax copies are acceptable, but must be followed up by the original signed form via mail. Questions may be directed to Sherry Barrett at 517-241-2538 between 8:00 a.m. and 3:30 p.m. weekdays or by e-mail at BarrettS1@Michigan.gov. Please mail the completed form to:

Sherry Barrett
Michigan Department of State
Bureau of Elections
PO Box 20126
Lansing, MI 48901-0726
Fax: 517-241-1591

County: _____

Vendor selected:

☐ Diebold Election Systems, Inc.

☐ Election Systems & Software (E S & S)

Special note on Sequoia Voting Systems, Inc.: Sequoia is not permitted to sell voting systems until an Independent Testing Authority (ITA) certifies its Election Management System (EMS) software. Counties will be notified as soon as the State receives verification from Sequoia that it has obtained the required certification. At that time, counties will have the opportunity to select and certify Sequoia as their vendor of choice.

Signature

Contact Person

Name (print or type)

Contact Phone Number

Date

(NOTE: The following language is offered as a sample for use by counties, cities, and townships in obtaining the necessary *Proof of Authority* for entering into upcoming Grant Agreements with the State, which are required to obtain new voting systems in 2005. This sample is written from the standpoint of a Township Board. This language can be altered slightly for use with city councils or county boards/commissions as well.)

Sample Township Board Resolution

WHEREAS, the _____ Township board wishes to apply to the Secretary of State for a grant to purchase an optical scan voting system and related Election Management System (EMS) software to comply with the Help America Vote Act (HAVA).

WHEREAS, the _____ Township board has chosen to submit a grant application for a new optical scan voting system in 2005.

WHEREAS, the deadline to apply is _____.

NOW, THEREFORE, BE IT RESOLVED that the _____ Township clerk is authorized to submit this grant application on behalf of _____ Township, _____ County on this day of _____, 2005.

The foregoing resolution offered by Board Member _____

Second offered by Board Member _____

Upon roll call vote the following voted "aye" _____
(list names of members voting "aye")

"nay" _____
(list names of members voting "nay")

The Supervisor declared the resolution adopted.

(Name)

Township Clerk:

(Name)